IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1260 of 2007()

CRIME NO.69/06 OF AMARAVILA EXCISE RANGE.

: PETITIONER/2ND ACCUSED:

GOPAN, S/O. PADMANABHAN,
KULATHUMKARA VEEDU, KUZHAKKADU, MALAYINKEEZHU,
TRIVANDRUM.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 1260 OF 2007

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DATED THIS THE 2nd DAY OF MARCH, 2007

O R D E R

Petitioner who is the second accused in C.R.No.69/06 of Amaravila Excise Range for an offence punishable under section 8(2) of the Abkari act for allegedly having been supplied two litres of illicit arrack to the first accused, a lady, on 17.12.2006, seeks anticipatory bail.

2. Learned Pubic Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer viz; the Excise Inspector, Amaravila on any day between 07.03.2007 and 09.03.2007 for the purpose of interrogation. The petitioner shall thereafter be produced on the same day before the Magistrate concerned, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same date on which it is filed bearing in mind the decision reported in **Sukumari v.State of Kerala (2001(1) KLT 22).**

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn